

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CIVIL NO. 08-571
)	
v.)	Judge Gary L. Lancaster
)	
164.52 ACRES OF LAND, MORE OR)	Tract No. 3400E-1
LESS, SITUATED IN WASHINGTON)	
COUNTY, COMMONWEALTH OF)	Project: Locks and Dams 2, 3 and 4
PENNSYLVANIA, AND PINE OAKS)	Monongahela River Navigation
LAND DEVELOPMENT, INC., ET AL.)	Project
)	
Defendants.)	

ORDER OF COURT

AND NOW, this 25th day of April, 2008, pursuant to Rule 67 of the Federal Rules of Civil Procedure and Local Rule 67.2 of this Court, it is ORDERED that the plaintiff in the above-captioned matter is permitted to deposit money with the Clerk of Court. It is FURTHER ORDERED that the Clerk deposit into the Registry of the Court the amount of Two Hundred Forty Thousand One Hundred And No/100 Dollars (\$240,100.00) which represents land condemnation monies to extend the existing temporary work easement on, over and across Tract No. 3400E-1 for a period beginning May 4, 2008 and ending December 31, 2019. As soon as the business of the office allows, the Clerk will deposit the money into an interest bearing account by delivering a check in the amount of \$240,100.00 to PNC Bank for deposit into a business money market fund at the rate then obtaining. In return the Clerk is to receive an indicia of ownership showing the account title which shall read:

United States District Court for
the Western District of Pennsylvania
Clerk of Court, Trustee
Civil Action No. 08-571

The depository, PNC Bank, shall continue to maintain the account until further order of court and will pay to the court a percentage of all interest earned to satisfy a handling fee set by the Judicial Conference. The interest will be paid to the court when the account is closed, matures, or rolls over.


UNITED STATES DISTRICT JUDGE

Comes now the plaintiff pursuant to Rule 67 of the Federal Rules of Civil Procedure and moves the Court for an order authorizing the investment of Registry funds in the manner set forth herein.

/s/ Jessica Lieber Smolar
JESSICA LIEBER SMOLAR
Assistant U.S. Attorney